

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 SANDOR ANIVAL CORDOVA
CARBALLO, et al.,

4 Plaintiffs

5 v.

6 LUIS ROSA, JR., et al.,

7 Defendants
8

Case No.: 2:20-cv-02196-APG-BNW

**Order Granting Unopposed Motion to
Dismiss**

[ECF No. 30]

9 Defendant Luis Rosa, Jr. moves to dismiss on a variety of grounds. The plaintiffs did not
10 respond. Consequently, I grant the motion as unopposed. LR 7-2(d).

11 I THEREFORE ORDER that defendant Luis Rosa, Jr.'s motion to dismiss (**ECF No. 30**)
12 **is GRANTED as follows:**

13 • Urvano Ruiz Sanchez is dismissed because he is not named in the caption.
14 • The Fifth Amendment claims for the following plaintiffs are dismissed because they
15 are no longer housed at Nevada Southern Detention Center: Hector Perez Alvarez, Mojahamed
16 Betiche, Bambang Budiano, Sandor Anival Cordova Carballo, Jose Rodolfo Castellanos, Jose
17 Seron Figueroa, Edgar Ramirez Garcia, Eduardo Gallardo Gonzalez, Jerrado Guerrora,
18 Suhamma Kukulpane, Julian Martin, Israel Mendoza, and Yupanqui Sanchez.

19 • Plaintiffs Felipe Mora and David Garcia Flores's Fifth Amendment claim against
20 defendant Rosa are dismissed for failure to allege that Rosa violated their Fifth Amendment
21 rights.
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1 • All plaintiffs' Eighth Amendment claims are dismissed for failure to state a claim
2 against defendant Rosa under *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388
3 (1971).

4 • All plaintiffs' intentional and negligent infliction of emotional distress claims are
5 dismissed for failure to state a claim against defendant Rosa.

6 I FURTHER ORDER the clerk of court to terminate defendant Luis Rosa, Jr. as a
7 defendant in this action.

8 DATED this 29th day of October, 2021.

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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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